

**STATE OF LOUISIANA
OFFICE OF FINANCIAL INSTITUTIONS
BATON ROUGE, LOUISIANA**

Revised Effective December 22, 2003

**POLICY NO. DI-02-2003
(B,SB,SL)**

**[Rescinds Policy Nos.
B-01-98
SL-01-98, and SB-01-98]**

UNIFORM INTERSTATE APPLICATION/NOTICE POLICY

PURPOSE:

To describe under what circumstances an institution may utilize the Uniform Interstate Application/Notice.

TO WHOM THIS POLICY APPLIES:

All State-Chartered Banks, Savings Banks, and Savings and Loan Associations.

BACKGROUND:

In an effort to standardize the application requirements of the State and Federal Regulatory Agencies, a joint State/Federal Working Group was established. This Group was charged with developing a notification which will meet the various information requirements of these various agencies. The result of those efforts is the Uniform Interstate Application/Notice (Short Form). This policy details under what circumstances an institution may utilize this short form.

SPECIFICS:

1. ELIGIBLE APPLICATIONS/NOTIFICATIONS

An institution may utilize the short form for the following items:

- 1) the establishment, relocation, or closure of a branch office;
- 2) the establishment, relocation, or closure of a loan production office;
- 3) the establishment, relocation, or closure of an electronic financial terminal;

2. QUALIFICATIONS

- An institution must meet ALL of the following criteria to be eligible to file a short form. If anyone of the criteria is not met, a standard application must be filed. To qualify for the short-form, the institution must:
 - a) have a rating of "1" or "2" for its most recent safety and soundness examination;
 - b) have a CRA rating of satisfactory or outstanding at its most recent CRA examination;
 - c) have a Compliance rating of "2" or better at its most recent compliance examination.
 - d) not be under a cease and desist order, a consent order, a prompt corrective action directive, a written agreement, a memorandum of understanding, or other administrative agreement;
 - e) have a fixed asset to tier one capital plus the allowance for loan and lease losses of less than 50 percent. Additionally, if the ratio is less than 50 percent but the institution has definitive plans for future expansion or fixed asset acquisition during the next 12 months which would cause this ratio to exceed 50 percent, the institution must file a standard application.
 - f) have been in existence for a minimum of two years.
 - g) be well capitalized as defined in the appropriate capital regulations of the institution's primary federal regulator.

3. PUBLICATION

- The filing of either a short form or a standard application to establish a branch office requires the publication of a notice in a newspaper of general circulation in the community in which the proposed branch is to be located. The application must be filed with OFI within 30 days of the date of publication.

NOTE: It is to the institution's advantage to file the application as soon after the date of publication as possible so that the review period can run concurrently with the public comment period. Filing is generally done as soon as the institution receives proof of publication.

The relocation of a branch office does not require the publication of a public notice. However, the relocation of a main office does require publication.

Notifications involving Electronic Financial Terminals and Loan Production Offices do not require the publication of a notice.

4. INDIAN TRIBAL LAND

- If the facility will be located on land owned by an Indian Nation, the financial institution must first contact OFI regarding special requirements for such a facility.

5. MOBILE LOCATION

- In addition to the preceding requirements, if the mobile facility will be utilized on a regular route, notification is only required at the time of the filing of the uniform interstate notification/application form or the standard branch application. This notification should include the proposed schedule and locations for utilization of the mobile facility. When additional regular routes are added, a one-time notification, in letter form, must be provided to OFI at least seven days prior to the initial use providing the proposed schedule and location. If the mobile facility will be used only occasionally (e.g. at a fair), notification must be provided to the OFI at least seven days prior to the date of use providing the proposed schedule and location. For each use, a log must be maintained showing the dates and locations where the mobile facility was used.

An institution seeking permission to establish a mobile facility shall include in the publication the proposed parish(es) of operation. If an institution decides to use the mobile facility in an additional parish(es), the filing of a notification and the publication in a newspaper of general circulation in the proposed parish of operation will be required.

6. EXCEPTIONS

- With the exception of Item 3, the Commissioner may waive any of the above requirements provided the request is submitted in writing and clearly identifies a legitimate reason for such a waiver.

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